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VIA ECF & E-MAIL

January 11, 2023

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Request for Release to Home Incarceration *United States v. Antwan Mosley, 22 Cr. 343 (JMF)*

Dear Judge Furman:

I represent Antwan Mosley in the above-entitled matter and submit this letter to respectfully request that Mr. Mosley be released from detention to home incarceration. The government objects to this request.

Mr. Mosley was arrested on December 14, 2022. He was presented before Magistrate Judge Cott that same day and Judge Cott denied defense bail request. Since that time, I have had numerous discussions with Mr. Mosley's family and I submit that he has a community invested in assuring that he abides by any and all conditions of release.

Following interview and verification on December 14, 2022, Pretrial Services recommended that Mr. Mosley be released on standard conditions, including:

- Unspecified financial appearance bond signed by three financially responsible sureties;
- Report to Pretrial Services as directed;
- Travel restricted to SDNY & EDNY;
- Home incarceration enforced by location monitoring.

We respectfully request that this Court release Mr. Mosley on the same set of conditions recommended by Pretrial Services.

We recognize that the allegations in this case are serious. However, they are just that – allegations. Mr. Mosley turned 21 on December 14, 2022, the day of his arrest and presentment. This 21-year-old has no criminal record, with only a non-violent Youthful Offender adjudication for Criminal Possession of Stolen Property in the 4th Degree in 2019, for which he received a conditional discharge. Until his December arrest, Mr. Mosley had been employed at Morrell Liquor and Wine, a liquor distributor warehouse in Bushwick, Brooklyn for five months. We expect that if released, he would be permitted to return to work.

Accordingly, we request that this Court release Mr. Mosley on his own signature and the signatures of three financially responsible sureties, and place him on home incarceration, to live in Brownsville, Brooklyn with his aunt and her two minor children. Mr. Mosley has a strong base of family support and a job waiting for him. Should he be released, he can begin the process of putting his life together under the strict, watchful eye of Pretrial Services, where his only allowance to leave the home would be for work and medical emergency.

Thank you for your consideration of this request.

Respectfully submitted,

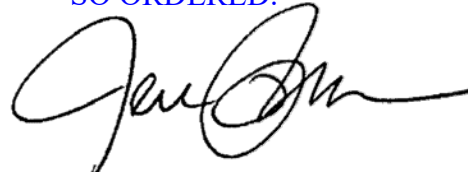
Ken Womble

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Counsel for Antwan Mosley

Strictly speaking, this application is to reopen the Defendant's bail hearing pursuant to Title 18, United States Code, Section 3142(f)(2). Accordingly, Defendant must identify "information . . . that was not known to [him] at the time of the [initial] hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community." Defendant fails to do so and, thus, the motion must be and is denied. Even if the Court were to review the matter de novo, the Court finds that detention is warranted, substantially for the reasons set forth in the Government's opposition. *See* ECF No. 67. The Clerk of Court is directed to terminate Docket No. 65.

SO ORDERED.

A handwritten signature in black ink, appearing to be "Jan 27", written over the date.

January 27, 2023